

**TOWN OF DAVIE**  
**OFFICE OF THE TOWN ADMINISTRATOR**

**MEMORANDUM**

**TO:** Bob Rawls, Interim Town Administrator

**FROM:** Will Allen, Programs Administrator

**DATE:** March 25, 1999

**SUBJECT:** Resolution Accepting Conveyance Of A Perpetual  
Easement From Jolmy Enterprises, Inc.

Please place a resolution accepting the conveyance of a perpetual easement from Jolmy Enterprises, Inc. on the April 7, 1999 Town Council agenda. This easement is related for the purposes of installing and maintaining water and sewer lines to service the Jolmy Enterprises, Inc. property north of the SR 84 Spur. This is the property which is being developed as a transportation center/truck stop. Water lines and sewer lines including a lift station will be placed within this easement. The easement is 13,341 sq. ft. in area which is 35' wide by approximately 375'.

Acceptance of this perpetual easement is consistent with the annexation agreement which was approved for the Jolmy Enterprises, Inc. property by Resolution No. R-96-194 adopted June 19, 1996. It is also consistent with the Water and Sewer Agreement approved regarding this property.

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE CONVEYANCE OF A PERPETUAL EASEMENT FROM JOLMY ENTERPRISES, INC. TO CONSTRUCT, MAINTAIN, REPAIR, INSTALL AND REBUILD WATER AND SANITARY SEWER FACILITIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Resolution No. R-96-194 adopted June 19, 1996 authorized the Town of Davie to execute an annexation agreement with Jolmy Enterprises, Inc.; and

WHEREAS, Section 5a of the adopted annexation agreement indicated the Town of Davie and Jolmy Enterprises, Inc. will enter into a Water and Sewer Service Agreement; and

WHEREAS, a Water and Sewer Service Agreement between the Town of Davie and Jolmy Enterprises was executed on March 19, 1997; and

WHEREAS, Section 3 of the Water And Sewer Service Agreement indicates the Owner shall convey said easements necessary to construct, maintain and operate the water and sewer service to the said property in recordable form prescribed by the Town of Davie; and

WHEREAS a perpetual easement has been prepared which provides full free right and authority for the Town to construct, maintain, repair, install, and rebuild water and/or sanitary sewerage facilities within the subject property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby accepts the grants of easement conveyed by the documents attached hereto as Attachment "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999.



STATE OF FLORIDA )  
 )ss:  
COUNTY OF BROWARD )

I HEREBY CERTIFY, that on this 5<sup>th</sup> day of March, 1999, before me  
personally appeared WILLIAM E. MYERS  
and SYLVIA F. CLEMENTS, as President and Secretary of,

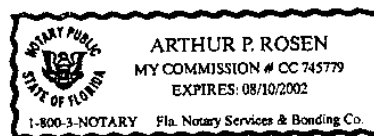
A Corporation under the Laws of the State of FLORIDA  
To me known to be the persons described herein and did/did not produce identification who  
executed the foregoing conveyance and severally acknowledged the execution thereof to be their  
free act and deed as such officers, for the use and purpose therein expressed; and they affixed  
thereto the official seal of said Corporation, and the said instrument is the act and deed of said  
Corporation.

WITNESS my signature at Plantation in the County of  
Broward and the State of Florida.

Date: March 5, 1999  
Arthur P. Rosen  
Notary Public

ARTHUR P. ROSEN  
Print Name of Notary Public

State of: FLORIDA



## EXHIBIT "A"

### SURVEY NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 14°50'17" WEST, ALONG THE EAST LINE OF "FERNCREST RIDGE" PLAT. (P.B. 49, PG. 29, B.C.R.)
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. THIS SKETCH IS NOT A BOUNDARY SURVEY AS SUCH.

### LAND DESCRIPTION:

A PORTION OF "FERNCREST RIDGE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 49, PAGE 29, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLYMOST NORTHEAST CORNER OF SAID PLAT, SAME BEING THE SOUTHEAST CORNER OF TRACT 1, TIER 9 OF NEWMANS SURVEY"; AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE SOUTH 14°50'17" WEST, ALONG THE EAST LINE OF SAID "FERNCREST RIDGE", 827.33 FEET; THENCE SOUTH 89°31'58" WEST, ALONG THE SOUTH LINE OF SAID "FERNCREST RIDGE", SAID LINE ALSO BEING THE NORTH LINE OF SUNSHINE STATE PARKWAY, (STATE ROAD 84 SPUR) AS SHOWN ON SAID PLAT, 674.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°31'58" WEST, ALONG SAID SOUTH LINE OF SAID "FERNCREST RIDGE", SAME BEING THE NORTH LINE OF SAID SUNSHINE STATE PARKWAY, (STATE ROAD 84 SPUR) 26.98 FEET; THENCE NORTH 85°42'13" WEST, ALONG SAID SOUTH LINE OF SAID "FERNCREST RIDGE", SAME BEING THE SAID NORTH LINE OF SAID SUNSHINE STATE PARKWAY, (STATE ROAD 84 SPUR) 9.36 FEET; THENCE NORTH 33°29'46" WEST, 369.73 FEET; THENCE NORTH 56°30'14" EAST, 35.00 FEET; THENCE SOUTH 33°29'46" EAST, 382.50 FEET; THENCE SOUTH 00°29'46" EAST, 9.15 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, CONTAINING 13,341 SQUARE FEET, (0.3063 ACRE) MORE OR LESS.

### CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION AS DELINEATED UNDER MY DIRECTION ON FEBRUARY 18, 1999. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH AND SCHNARS, P.A.  
ENGINEERS-PLANNERS-SURVEYORS

# EXHIBIT "A"

